



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

January 16, 2018
System No.: 2400329

Ms. Amanda Wiren, Quality Manager
Hilltop Ranch – Looney Road
3890 Looney Road
Ballico, CA 95303

**RE: CITATION NO. 03-11-18C-002
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION
FOR NOVEMBER 2017**

Enclosed is Citation No. 03-11-18C-002 (hereinafter "Citation"), issued to the Hilltop Ranch-looney Road (hereinafter "System"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately 2.0 hours on enforcement activities associated with this violation.

The System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

265 West Bullard Avenue, Suite 101, Fresno, CA 93704 | www.waterboards.ca.gov

If you have any questions regarding this matter, please contact Lourdes Mertens of my staff or me at 559-447-3300.

Sincerely,



Kassy D. Chauhan, P.E.

Senior Sanitary Engineer, Merced District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

KDC/MLM
Enclosures

Certified Mail No. 7016 3010 0000 0446 3946

cc: Merced County Environmental Health Department
Tom Galindo, Westside Water Conditioning, 45 W. G Street, Los Nanos, CA 93635
RTCR E-copy only: District 11 to send via email (no hard copy) to Mr. Luis Garcia, U.S. EPA Region

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Hilltop Ranch-Looney Road

Water System No: 2400329

Attention: Ms. Amanda Wiren, Quality Manager
Hilltop Ranch – Looney Road
13890 Looney Road
Ballico, CA 95303

Issued: January 16, 2018

CITATION FOR NONCOMPLIANCE WITH
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION
NOVEMBER 2017

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, State Water Board 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

1 The State Water Board, acting by and through its Division of Drinking Water (hereinafter "State
2 Water Board") and the Deputy Director for the Division, hereby issues Citation No. 03-11-18C-
3 002 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Hilltop Ranch-Looney
4 Road (hereinafter "Water System") (13890 Looney Road, Ballico, CA 95303) , for violation of
5 CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22,
6 Section 64426.1.

7
8 A copy of the applicable statutes and regulations are included in Appendix 1, which is attached
9 hereto and incorporated by reference.

10 11 **STATEMENT OF FACTS**

12 The Water System is a nontransient-noncommunity water system located in Merced County that
13 supplies water for domestic purposes to a population of approximately 35 through two (2) service
14 connections. The Water System operates under Domestic Water Supply Permit No. 03-11-16P-
15 027 issued by the State Water Board on September 7, 2016.

16
17 CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking
18 water standards as defined in CHSC, Section 116275(c). Primary drinking water standards
19 include maximum levels of contaminants and the monitoring and reporting requirements as
20 specified in regulations adopted by the State Water Board that pertain to maximum contaminant
21 levels.

22
23 CCR, Title 22, Section 64426.1, Total Coliform Maximum Contaminant Level (hereinafter "MCL"),
24 states that a public water system is in violation of the total coliform MCL if it collects fewer than
25 40 bacteriological samples per month and if more than one sample collected during any month is
26 total coliform-positive.

1 The Water System is required to collect a minimum of one (1) routine distribution system
2 bacteriological sample per month. In November 2017, the State Water Board received laboratory
3 results for one routine sample and four repeat samples which included the well. All five (5)
4 samples were analyzed for the presence of total coliform bacteria. All five (5) samples analyzed
5 were positive for total coliform bacteria. None of the total coliform positive samples showed the
6 presence of *Escherichia coli* (*E. coli*) bacteria. The following month of December, the Water
7 System collected five (5) routine bacteriological samples which included a well sample on
8 December 19, 2017. All four (4) routine samples including the well were absent for total coliform
9 bacteria. All water samples for coliform bacteria are summarized in Appendix 2.

10
11 Pursuant to the Federal Revised Total Coliform Rule (FRTCR), a Level 1 Assessment is triggered
12 whenever a water system has two or more routine samples that are total coliform positive in a
13 month. The Division began implementing the FRTCR on April 1, 2016. On December 4, 2017, the
14 Level 1 Assessment Report (Appendix 4) was submitted to the Division. The first disinfection
15 procedure after the replacement of the well pump was not effective. A second disinfection of the
16 well and the water system was performed.

17
18 The California Groundwater Rule (GWR) requires the collection of a sample for bacteriological
19 evaluation from the well serving the system in response to a coliform-positive distribution sample
20 within 24 hours of being notified of the coliform-positive result. Based on data submitted to the
21 Division, the Water System collected the raw water sample at the well in a timely manner in follow-
22 up to the total coliform-positive routine samples collected in the month of November 2017.

23
24 Public notification to the Division and consumers at the Water System is required whenever a
25 violation of the Total Coliform MCL occurs. Notification to the Division is required by the end of
26 the business day on which the violation has been determined. If the Division is closed, notification
27 shall be within 24 hours of the determination. On November 7, 2017, the Division was notified in

1 a timely manner. Copies of the public notification and certification that the notice was delivered
2 were not yet provided to the Division.

3 4 **DETERMINATION**

5 The Water System took fewer than 40 bacteriological samples during November 2017. The
6 results of one (1) routine sample and four (4) repeat samples were total coliform positive.
7 Therefore, the State Water Board has determined that the Water System failed to comply with
8 drinking water standards pursuant to CHSC, Section 116555(a)(1) and CCR, Title 22, Section
9 64426.1 during November 2017.

10 11 **DIRECTIVES**

12 The Hilltop Ranch-Looney Road is hereby directed to take the following actions:

- 13
- 14 1. Comply with CCR, Title 22, Section 64426.1, in all future monitoring periods.
 - 15
 - 16 2. On or before **January 31, 2018**, notify all persons served by the Water System of the
17 violation of CCR, Title 22, Sections 64423 and 64423.1(c), in conformance with Sections
18 64463.4(b) and (c) and 64465. Copies of Sections 64463.4 and 64465 are included in
19 Appendix 1. Appendix 3: Notification Template shall be used to fulfill this Directive, unless
20 otherwise approved by the State Water Board.
 - 21
 - 22 3. Complete Appendix 4: Compliance Certification Form. Submit it to the State Water Board
23 on or before **January 31, 2018**.
 - 24

25 All submittals required by this Citation shall be electronically submitted to the State Water Board
26 at the following address. The subject line for all electronic submittals corresponding to this citation
27 shall include the following information: Water System name and number, citation number and
28 title of the document being submitted.

Kassy D. Chauhan, P.E., Senior Sanitary Engineer
State Water Resources Control Board
State Water Board of Drinking Water, Merced District
265 W. Bullard Ave, Suite 101
Fresno, CA 93704
Dwpdist11@waterboards.ca.gov

The State Water Board reserves the right to make such modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the Water System of its obligation to meet the requirements of the California SDWA (CHSC, State Water Board 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

This Citation shall apply to and be binding upon the Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified

1 in a citation or compliance order. The California SDWA also authorizes the State Water Board to
2 take action to suspend or revoke a permit that has been issued to a public water system if the
3 public water system has violated applicable law or regulations or has failed to comply with an
4 order of the State Water Board, and to petition the superior court to take various enforcement
5 measures against a public water system that has failed to comply with an order of the State Water
6 Board. The State Water Board does not waive any further enforcement action by issuance of this
7 Citation.

8
9
10 Kassy D. Chauhan

11
12 Kassy D. Chauhan, P.E.
13 Senior Sanitary Engineer, Merced District
14 DRINKING WATER FIELD OPERATIONS BRANCH

1-16-18

Date

15
16
17 Appendices (5):

- 18 1. Applicable Statutes and Regulations
19 2. Summary of Bacteriological Samples
20 3. Public Notice for November 2017
21 4. Level 1 Assessment Report
22 5. Compliance Certification Form



23
24 Certified Mail No. 7016 3010 0000 0446 3946

**APPENDIX 1: APPLICABLE STATUTES AND REGULATIONS FOR
CITATION NO. 03-11-18C-002
Total Coliform Monitoring and Reporting Violation**

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271 states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116275 states in relevant part:

(c) "Primary drinking water standards" means:

- (1) Maximum levels of contaminants that, in the judgment of the state board, may have an adverse effect on the health of persons.
- (2) Specific treatment techniques adopted by the state board in lieu of maximum contaminant levels pursuant to subdivision (j) of Section 116365.

(3) The monitoring and reporting requirements as specified in regulations adopted by the state board that pertain to maximum contaminant levels.

Section 116555 states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
- (1) Complies with primary and secondary drinking water standards.
 - (2) Will not be subject to backflow under normal operating conditions.
 - (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116577. Enforcement fee states:

(a) Each public water system shall reimburse the state board for actual costs incurred by the state board for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or a citation.
- (2) Preparing and issuing public notification.
- (3) Conducting a hearing pursuant to Section 116625. *NOTE: This publication includes a variety of* (b) The state board shall submit an invoice for these enforcement costs to the public water system that requires payment before September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the state board. The costs set forth in the invoice shall not exceed the total actual costs to the state board of enforcement activities specified in this section.

(c) Notwithstanding the reimbursement of enforcement costs of the local primacy agency pursuant to subdivision (a) of Section 116595 by a public water system under the jurisdiction of the local primacy agency, a public water system shall also reimburse enforcement costs, if any, incurred by the state board pursuant to this section.

(d) "Enforcement costs," as used in this section, does not include "litigation costs" pursuant to Section 116585.

(e) The state board shall not be entitled to enforcement costs pursuant to this section if a court determines that enforcement activities were in error.

(f) Payment of the invoice shall be made within 90 days of the date of the invoice. Failure to pay the invoice within 90 days shall result in a 10-percent late penalty that shall be paid in addition to the invoiced amount.

(g) The state board may, at its sole discretion, waive payment by a public water system of all or any part of the invoice or penalty.

Section 116625 (Revocation and suspension of permits) states:

(a) The department, after a hearing noticed and conducted as provided in Section 100171, may suspend or revoke any permit issued pursuant to this chapter if the department determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permit at issue has been temporarily suspended pursuant to subdivision (c), the accusation shall be served and notice of the hearing date given within 15 days of the effective date of the temporary suspension order. The commencement of the hearing shall be as soon as practicable, but in no case later than 60 days after the effective date of the temporary suspension order.

(b) The permittee may file with the superior court a petition for a writ of mandate for review of any decision of the department made pursuant to subdivision (a). Failure to file a petition shall not preclude a party from challenging the reasonableness or validity of a decision of the department in any judicial proceeding to enforce the decision or from pursuing any remedy authorized by this chapter.

(c) The department may temporarily suspend any permit issued pursuant to this chapter prior to any hearing when the action is necessary to prevent an imminent or substantial danger to health. The director shall notify the permittee of the temporary suspension and the effective date thereof and, at the same time, notify the permittee that a hearing has been scheduled. The hearing shall be held as soon as possible, but not later than 15 days after the effective date of the temporary suspension and shall deal only with the issue of whether the temporary suspension shall remain in place pending a hearing on the merits. The temporary suspension shall remain in effect until the hearing is completed and the director has made a final determination on the temporary suspension, that in any event shall be made within 15 days after the completion of the hearing. If the determination is not transmitted within 15 days after the hearing is completed, the temporary suspension shall be of no further effect. Dissolution of the temporary suspension does not deprive the department of jurisdiction to proceed with a hearing on the merits under subdivision (a).

Section 116650 states in relevant part:

(a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

Section 116701 (Petitions to Orders and Decisions) states:

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.

(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.

(f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.

California Code of Regulations (CCR), Title 22:

Section 64421 (General Requirements) states:

(a) Each water supplier shall:

- (1) Develop a routine sample siting plan as required in section 64422;
- (2) Collect routine, repeat and replacement samples as required in Sections 64423, 64424, and 64425;
- (3) Have all samples analyzed by laboratories approved to perform those analyses by the State Board and report results as required in section 64423.1;
- (4) Notify the State Board when there is an increase in coliform bacteria in bacteriological samples as required in section 64426; and
- (5) Comply with the Maximum Contaminant Level as required in section 64426.1.

(b) Water suppliers shall perform additional bacteriological monitoring as follows:

- (1) After construction or repair of wells;
- (2) After main installation or repair;
- (3) After construction, repair, or maintenance of storage facilities; and
- (4) After any system pressure loss to less than five psi. Samples collected shall represent the water quality in the affected portions of the system.

Section 64422 (Routine Sample Siting Plan) states:

(a) By September 1, 1992, each water supplier shall develop and submit to the State Board a siting plan for the routine collection of samples for total coliform analysis, subject to the following:

- (1) The sample sites chosen shall be representative of water throughout the distribution system including all pressure zones, and areas supplied by each water source and distribution reservoir.
- (2) The water supplier may rotate sampling among the sample sites if the total number of sites needed to comply with (a)(1) above exceeds the number of samples required according to Table 64423-A. The rotation plan shall be described in the sample siting plan.

(b) If personnel other than certified operators will be performing field tests and/or collecting samples, the sample siting plan shall include a declaration that such personnel have been trained, pursuant to §64415 (b).

(c) The supplier shall submit an updated plan to the State Board at least once every ten years and at any time the plan no longer ensures representative monitoring of the system.

Section 64423 (Routine Sampling) states:

(a) Each water supplier shall collect routine bacteriological water samples as follows:

- (1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423-A. A community water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency. The minimum reduced frequency shall not be less than one sample per quarter.

(2) The minimum number of samples for nontransient-noncommunity water systems shall be based on the known population served as shown in Table 64423-A during those months when the system is operating. A nontransient-noncommunity water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency if it has not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.

(3) The minimum number of samples for transient-noncommunity water systems using groundwater and serving 1000 or fewer persons a month shall be one in each calendar quarter during which the system provides water to the public.

(4) The minimum number of samples for transient-noncommunity water systems using groundwater and serving more than 1000 persons during any month shall be based on the known population served as shown in Table 64423-A, except that the water supplier may request from the State Board a reduction in monitoring for any month the system serves 1000 persons or fewer. The minimum reduced frequency shall not be less than one sample in each calendar quarter during which the system provides water to the public.

(5) The minimum number of samples for transient-noncommunity water systems using approved surface water shall be based on the population served as shown in Table 64423-A. A system using groundwater under the direct influence of surface water shall begin monitoring at this frequency by the end of the sixth month after the State Board has designated the source to be approved surface water.

(6) A public water system shall collect samples at regular time intervals throughout the month, except that a system using groundwater which serves 4,900 persons or fewer may collect all required samples on a single day if they are taken from different sites.

(b) In addition to the minimum sampling requirements, all water suppliers using approved surface water which do not practice treatment in compliance with Sections 64650 through 64666, shall collect a minimum of one sample before or at the first service connection each day during which the turbidity level of the water delivered to the system exceeds 1 NTU. The sample shall be collected within 24 hours of the exceedance and shall be analyzed for total coliforms. If the water supplier is unable to collect and/or analyze the sample within the 24-hour time period because of extenuating circumstances beyond its control, the supplier shall notify the State Board within the 24-hour time period and may request an extension. Sample results shall be included in determining compliance with the MCL for total coliforms in Section 64426.1.

(c) If any routine, repeat, or replacement sample is total coliform-positive, then the water supplier shall collect repeat samples in accordance with Section 64424 and comply with the reporting requirements specified in Sections 64426 and 64426.1.

Table 64423-A
Minimum Number of Routine Total Coliform Samples

Monthly Population Served	Service Connections	Minimum Number of Samples
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week
59,001 to 70,000	21,101 to 25,000	18 per week
70,001 to 83,000	25,001 to 29,600	20 per week
83,001 to 96,000	29,601 to 34,300	23 per week
96,001 to 130,000	34,301 to 46,400	25 per week
130,001 to 220,000	46,401 to 78,600	30 per week
220,001 to 320,000	78,601 to 114,300	38 per week
320,001 to 450,000	114,301 to 160,700	50 per week
450,001 to 600,000	160,701 to 214,300	55 per week
600,001 to 780,000	214,301 to 278,600	60 per week
780,001 to 970,000	278,601 to 346,400	70 per week
970,001 to 1,230,000	346,401 to 439,300	75 per week
1,230,001 to 1,520,000	439,301 to 542,900	85 per week
1,520,001 to 1,850,000	542,901 to 660,700	90 per week
1,850,001 to 2,270,000	660,701 to 810,700	98 per week

2,270,001 to 3,020,000	810,701 to 1,078,600	105 per week
3,020,001 to 3,960,000	1,078,601 to 1,414,300	110 per week
3,960,001 or more	1,414,301 or more	120 per week

Section 64423.1 (Sample Analysis and Reporting of Results) states:

(a) The water supplier shall designate (label) each sample as routine, repeat, replacement, or "other" pursuant to Section 64421(b), and have each sample analyzed for total coliforms. The supplier also shall require the laboratory to analyze the same sample for fecal coliforms or *Escherichia coli* (*E. coli*) whenever the presence of total coliforms is indicated. As a minimum, the analytical results shall be reported in terms of the presence or absence of total or fecal coliforms, or *E. coli* in the sample, whichever is appropriate.

(b) The water supplier shall require the laboratory to notify the supplier within 24 hours, whenever the presence of total coliforms, fecal coliforms or *E. coli* is demonstrated in a sample or a sample is invalidated due to interference problems, pursuant to Section 64425(b), and shall ensure that a contact person is available to receive these analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State Board of any positive bacteriological results if the laboratory cannot make direct contact with the designated contact person within 24 hours.

(c) Analytical results of all required samples collected for a system in a calendar month shall be reported to the State Board not later than the tenth day of the following month, as follows:

(1) The water supplier shall submit a monthly summary of the bacteriological monitoring results to the State Board.

(2) For systems serving fewer than 10,000 service connections or 33,000 persons, the water supplier shall require the laboratory to submit copies of all required bacteriological monitoring results directly to the State Board.

(3) For systems serving more than 10,000 service connections, or 33,000 persons, the water supplier shall require the laboratory to submit copies of bacteriological monitoring results for all positive routine samples and all repeat samples directly to the State Board.

(d) Laboratory reports shall be retained by the water supplier for a period of at least five years and shall be made available to the State Board upon request.

Section 64424 (Repeat Sampling) states in relevant part:

(a) If a routine sample is total coliform-positive, the water supplier shall collect a repeat sample set as described in paragraph (1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the State Board allow the collection of the repeat sample set over a four-day period.

(1) For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform-positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.

(2) If the water supplier is unable to collect the samples within the 24-hour time period specified in subsection (a) or deliver the samples to the laboratory within 24 hours after collection because of circumstances beyond its control, the water supplier shall notify the State Board within 24 hours. The State Board will then determine how much time the supplier will have to collect the repeat samples.

(b) When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream of the original site. At least one sample shall be from upstream and one from downstream unless there is no upstream and/or downstream service connection.

(c) If one or more samples in the repeat sample set is total coliform-positive, the water supplier shall collect and have analyzed an additional set of repeat samples as specified in subsections (a) and (b). The supplier shall repeat this process until either no coliforms are detected in one complete repeat sample set or the supplier determines that the MCL for total coliforms specified in Section 64426.1 has been exceeded and notifies the State Board.

(d) If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month. If the supplier stops supplying water during the month after the total coliform-positive(s), at least five samples shall be collected during the first month the system resumes operation. A water supplier may request the State Board waive the requirement to collect at least five routine samples the following month, but a waiver will not be granted solely on the basis that all repeat samples are total coliform-negative. To request a waiver, one of the following conditions shall be met:

(1) The State Board conducts a site visit before the end of the next month the system provides water to the public to determine whether additional monitoring and/or corrective action is necessary to protect public health.

(2) The State Board determines why the sample was total coliform-positive and establishes that the system has corrected the problem or will correct the problem before the end of the next month the system serves water to the public. If a waiver is granted, a system shall collect at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with Section 64426.1.

Section 64425 (Sample Invalidation) states:

(a) A water supplier may request the Department to invalidate a sample for which a total coliform-positive result has been reported if the supplier demonstrates:

(1) All repeat sample(s) collected at the same tap as the original total coliform-positive sample also are total coliform-positive and all repeat samples collected within five service connections of the original tap are not total coliform-positive; or

(2) The laboratory did not follow the prescribed analytical methods pursuant to §64415(a), based on a review of laboratory documentation by the Department. The supplier shall submit to the Department a written request for invalidation along with the laboratory documentation, the supplier's sample collection records and any observations noted during sample collection and delivery. The water supplier shall require the laboratory to provide the supplier with documentation which shall include, but not be limited to:

(A) A letter from the director of the laboratory having generated the data, confirming the invalidation request by reason of laboratory accident or error;

(B) Complete sample identification, laboratory sample log number (if used), date and time of collection, date and time of receipt by the laboratory, date and time of analysis for the sample(s) in question;

(C) Complete description of the accident or error alleged to have invalidated the result(s);

(D) Copies of all analytical, operating, and quality assurance records pertaining to the incident in question; and

(E) Any observations noted by laboratory personnel when receiving and analyzing the sample(s) in question.

(b) Whenever any total coliform sample result indicative of the absence of total coliforms has been declared invalid by the laboratory due to interference problems as specified at 40 Code Federal Regulations, Section 141.2100(c)(2), the supplier shall collect a replacement sample from the same location as the original sample within 24 hours of being notified of the interference problem, and have it analyzed for the presence of total coliforms. The supplier shall continue to re-sample at the original site within 24 hours and have the samples analyzed until a valid result is obtained.

Section 64426 (Significant Rise in Bacterial Count) states in relevant part:

(a) Any of the following criteria shall indicate a possible significant rise in bacterial count:

(1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive repeat samples in the repeat sample set;

(2) A system has a sample which is positive for fecal coliform or E. coli; or

(3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in Section 64426.1.

(b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:

(1) Contact the State Board by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours; and

(2) Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:

(A) Current operating procedures that are or could potentially be related to the increase in bacterial count;

(B) Any interruptions in the treatment process;

(C) System pressure loss to less than 5 psi;

(D) Vandalism and/or unauthorized access to facilities;

(E) Physical evidence indicating bacteriological contamination of facilities;

(F) Analytical results of any additional samples collected, including source samples;

(G) Community illness suspected of being waterborne; and

(H) Records of the investigation and any action taken.

Section 64426.1 (Total Coliform Maximum Contaminant Level (MCL)) states in relevant part:

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

(1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or

(2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or

(3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

(4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraph (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraph (b)(3) or (4), pursuant to section 64463.1.

Section 64463.4 (Tier 2 Public Notice) states:

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
- (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
 - (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
 - (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or
 - (4) Failure to comply with the terms and conditions of any variance or exemption in place.
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
- (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
 - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
 - (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.
- (c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:
- (1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
 - (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and
 - (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
 1. Publication in a local newspaper;
 2. Posting in conspicuous public places served by the water system, or on the Internet; or
 3. Delivery to community organizations.
 - (2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:
 - (A) Posting in conspicuous locations throughout the area served by the water system; and
 - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
 1. Publication in a local newspaper or newsletter distributed to customers;
 2. E-mail message to employees or students;
 3. Posting on the Internet or intranet; or
 4. Direct delivery to each customer.

Section 64463.7 (Tier 3 Public Notice) states:

- (a) Each water system shall give public notice pursuant to this section if any of the following occurs:
- (1) Monitoring violations;
 - (2) Failure to comply with a testing procedure, except where a Tier 1 public notice is required pursuant to section 64463.1 or the State Board determines that a Tier 2 public notice is required pursuant to section 64463.4; or
 - (3) Operation under a variance or exemption.
- (b) Each water system shall give the public notice within one year after it learns of the violation or begins operating under a variance or exemption.
- (1) The water system shall repeat the public notice annually for as long as the violation, variance, exemption, or other occurrence continues.
 - (2) Posted public notices shall remain in place for as long as the violation, variance, exemption, or other occurrence continues, but in no case less than seven days.

(3) Instead of individual Tier 3 public notices, a water system may use an annual report detailing all violations and occurrences for the previous twelve months, as long as the water system meets the frequency requirements specified in this subsection.

(c) Each water system shall deliver the notice in a manner designed to reach persons served within the required time period, as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

(2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

(d) Community and nontransient-noncommunity water systems may use the Consumer Confidence Report pursuant to sections 64480 through 64483, to meet the initial and repeat Tier 3 public notice requirements in subsection 64463.7(b), as long as the Report meets the following:

- (1) Is given no later than one year after the water system learns of the violation or occurrence;
- (2) Includes the content specified in section 64465; and
- (3) Is distributed pursuant to paragraph (b)(1) and (2) or subsection (c).

Section 64465 (Public Notice Content and Format) states in relevant part:

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
- (2) The date(s) of the violation or occurrence;
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time." ...

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(2) For a Tier 2 or Tier 3 public notice:

- (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
- (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or
 2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
 - (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.
- (d) Each public notice given pursuant to this article shall:
- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
 - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
 - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

Appendix 64465-A. Health Effects Language - Microbiological Contaminants.

Contaminant	Health Effects Language
Total Coliform	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform/E. coli	Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
Turbidity	Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Section 64469 (Reporting Requirements) states in relevant part:

- (d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

Section 64481 (Content of the Consumer Confidence Report) states in relevant part:

- (g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.
- (1) Monitoring and reporting of compliance data.

Bacteriological Distribution Monitoring Report

2400329 Hilltop Ranch-Looney Road
Distribution System Freq: 1/M

Sample Date	Location	T Coli	E Coli	F Coli	HPC	Type	Cl2	Violation	Comment
11/7/2017	Huller RR Sink	P	A			Routine			
11/9/2017	Huller bath room	1.1	<1.1			Repeat			
11/9/2017	Lunch Room Upstairs	6.9	<1.1			Repeat		MCL	
11/9/2017	Office conference room	12	<1.1			Repeat			
11/9/2017	Well	9.2	<1.1			Source R			
11/21/2017	3 samples	<1.1	<1.1			Repeat			
11/21/2017	well	<1.1	<1.1			Source R			
12/19/2017	5 samples: Offc Conf, Huller sink, upstairs lunch, warehouse sink, well	<1.1	<1.1			Routine			

Violation Key

MCL	Exceeds the maximum contaminant level	MR4	Did not collect 5 routine samples for previous month's positive sample
MR1	No monthly sample for the report month	MR5	Incorrect number of repeat samples as follow-up to a positive sample
MR2	No quarterly sample for the report month	MR6	No source sample
MR3	Incorrect number of routine samples for the report month	MR7	No summary report submitted
		MR8	Other comments and/or info.

Instructions for Tier 2 Resolved Total Coliform Notice Template

Template Attached

Since exceeding the total coliform bacteria maximum contaminant level is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Description of the Violation

Make sure that the notice is clear about the fact that the coliform problem has been resolved, and there is no current cause for concern. The description of the violation and the MCL vary depending on the number of samples you take. The following table should help you complete the second paragraph of the template.

<u>If You Take Fewer Than 40 Samples a Month</u>	<u>If You Take 40 or More Samples a Month</u>
State the number of samples testing positive for coliform. The standard is that no more than one sample per month may be positive.	State the percentage of samples testing positive for coliform. The standard is that no more than 5.0 percent of samples may test positive each month.

Corrective Action

In your notice, describe corrective actions you have taken. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We have increased sampling for coliform bacteria to catch the problem early if it recurs."
- "The well and/or distribution system has been disinfected and additional samples do not show presence of coliform bacteria."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64469(d)].

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

The Hilltop Ranch-Looney Road Has Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took nine samples to test for the presence of coliform bacteria during November 2017. Five (5) samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may do so.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

Due to the presence of total coliform, the entire distribution system was disinfected with chlorine and flushed. Further testing was required to show no coliform were present after disinfection. The well pump recently failed and was replaced. The first disinfection did not work and the well was sanitized for a second time.

For more information, please contact James Sharp at phone 209-874-1875

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by the Hilltop Ranch – Looney Road

State Water System ID#: 2400329. Date distributed: _____.

REVISED TOTAL COLIFORM RULE (RTCR) – LEVEL 1 ASSESSMENT Simple Systems with a Well and Storage/Pressure Tank and No Treatment

This form is intended to assist public water systems in completing the investigation required by the federal revised Total Coliform Rule (rTCR) [effective April 1, 2016] and may be modified to take into account conditions unique to the water system. To avoid a violation, an assessment report must be completed and returned to your local regulatory agency no later than 30 days after the trigger date.



Appendix 4

ADMINISTRATIVE INFORMATION

Entity Name:	System	Name	System Address & Email	Telephone Number
PWSID NUMBER: 2400329		4111 Top Ranch - Looney		
Type:		Charlie Jahn	13890 Looney Rd. Ballico Ca.	209-874-1875
Operator in Responsible Charge (ORC)		Hector Estrada: IEH-J&L Analytical	217 Primo Way Modesto CA. 95358	209-538-8111
Person that collected TC samples if different than ORC				
System Owner		Dave Long	13890 Looney Rd. Ballico CA	209-988-8476
Certified Laboratory for Microbiological Analyses		IEH-J&L Analytical	1570 Vista Bluff Ct. Merced CA	209-538-8111
Date Investigation Completed: 11-12-2017				
Month(s) of Coliform Treatment Technique Trigger: November 2017				

INVESTIGATION DETAILS

SOURCE	1. Inspect each well head for physical defects and report	WELL	WELL	WELL	WELL	COMMENTS (attach additional pages if needed)
		(name) Well #2	(name)	(name)	(name)	
a. Is raw water sample tap upstream from point of disinfection?	Yes	Good condition, no defects to report				
b. Is wellhead vent pipe screened?	Yes					
c. Is wellhead seal watertight?	Yes					
d. Is well head located in pit or is any piping from the wellhead submerged?	no					
e. Does the ground surface slope towards well head?	no					
f. Is there evidence of standing water near the wellhead?	no					
g. Are there any connections to the raw water piping that could be cross connections? (describe all connections in comments)	no					
h. Is the wellhead secured to prevent unauthorized access?	yes					Fenced yard
i. How often do you take a raw water total coliform (TC) test?	Monthly					
j. Provide the date and result of the last TC test at this location	11/9/17 positive for coliform.					Retested 11/21 after Well treatment tested negative.

STORAGE	TANK (name)	TANK (name)	TANK (name)	TANK (name)	COMMENTS

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STORAGE	TANK	TANK	TANK	TANK	COMMENTS
	(name)	(name)	(name)	(name)	
1. Is each tank locked to prevent unauthorized access?					
2. Are all vents of each tank screened down-turned to prevent dust and dirt from entering the tank?					
3. Is the overflow on each tank screened?					
4. Are there any unsealed openings in the tank such as access doors, water level indicators hatches, etc.?					
5. Is the roof/cover of the tank sealed and free of any leaks?					
6. Is the tank above ground or buried?					
a. If buried or partially buried, are there provisions to direct surface water away from the site.					
b. Has the interior of the tank been inspected to identify any sanitary defects, such as root intrusion?					
7. Does the tank "float" on the distribution system or are there separate inlet and outlet lines?					
8. What is the measured chlorine residual (total/free) of the water exiting the storage tank today ?					
9. What is the volume of the storage tank in gallons?					
10. Is the tank baffled?					
11. Prior to the TC+ or EC+, what was the previous date item #1-6 were checked and documented?					

PRESSURE TANK	TANK	TANK	TANK	TANK	COMMENTS
	(name)	(name)	(name)	(name)	
1. What is the volume of the pressure tank?	90 Gal.				
2. What is the age of the pressure tank?	unknown				
3. Is the pressure tank bladder type or air compressor type?	Pressure				
4. Did the pressure tank(s) deviate from normal operating pressure?	yes				Submerged well pump failure
5. Is the compressor pump running more often than normal?	no				
6. Is the tank bladder broken and the tank water logged?	no				
7. Is the tank(s) damaged, rusty, leaking, or has holes?	no				
8. Was there any recent work performed?	yes				Submerged well pump replaced on 10/31/17.
9. Is the air relief vent (if there is one) on the pressure tank screened and facing downwards?	yes				
10. Can the inside of the pressure tank be visually inspected thru an inspection port? If so, when was the last time it was inspected?	No				

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DISTRIBUTION SYSTEM	SYSTEM RESPONSES
1. What is the minimum pressure you are maintaining in the distribution system?	40 PSI
2. Did pressure in the distribution system drop to less than 5 psi prior to experiencing the total coliform positive finding?	Yes the submerged well pump failed and was replaced.
3. Has the distribution system been worked on within the last week? (service taps, hydrant flushing, main breaks, main extensions, etc.) If yes, provide details.	On 10/31/17 the submerged well pump was replaced.
4. Are there any signs of excavations near your distribution system not under the direct control of your maintenance staff?	no
5. Did you inspect your distribution system to check for mainline leaks? Do you or did you have a mainline leak?	Yes it was inspected and no there were no mainline leaks.
6. If there was a mainline leak, when was it repaired?	n/a
7. On what date was the distribution system last flushed?	11/22/17
8. Is there a written flushing procedure you can provide for our review?	no
9. Do you have an active cross connection control program?	no
10. What is name and phone number of your Cross-Connection Control Program Coordinator?	Charlie Jahn 209-874-1575
11. Have all backflow prevention devices in the distribution system been tested annually and repaired/replaced if they did not pass and retested afterwards?	There are no testable devices on the system only vacuum breakers
12. On what date was the last physical survey of the system done to identify cross-connections?	unknown

SAMPLE SITE EVALUATION (Complete for all TC+ or EC+ findings)	Routine Site TC+ or EC+	Upstream Site	Downstream Site	4 th Repeat Sample (specify)
1. What is the height of the sample tap above grade? (inches)	24 inches			
2. Is the sample tap located in an exterior location or is it protected by an enclosure?	exterior			
3. Is the sample tap threaded, have a swing arm (kitchen sink) or aerator (sinks)?	No			
4. Is the sample tap in good condition, free of leaks around the stem or packing?	Yes			
5. Can the sample tap be adjusted to the point where a good laminar flow can be achieved without excessive splash?	yes			
6. Is the sample tap and area around the sample tap clean and dry (free of animal droppings, other contaminants or spray irrigation systems)	yes			
7. Is the area around the sample tap free of excessive vegetation or other impediments to sample collection?	yes			
8. Describe how the tap was treated in preparation for sample collection (ran water, swabbed with disinfectant, flamed, etc.)	Activated handle three times, flushed then disinfected			
9. Is this sample tap designated on the bacteriological sample siting plan (BSSP)	Yes			

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SAMPLE SITE EVALUATION (Complete for all TC+ or EC+ findings)		Routine Site TC+ or EC+	Upstream Site	Downstream Site	4 th Repeat Sample (specify)
as a routine or repeat site?					
10. Were the samples delivered to the laboratory in a cooler and within the allowable holding time?	Yes				
11. What were the weather conditions at the time of the positive sample (rainy, windy, sunny)?	sunny				

GENERAL OPERATIONS:	Response
1. Has the sampler(s) who collected the samples received training on proper sampling techniques? If yes, please indicate date of last training.	IEH-J&L technician Hector Estrada, date of training unknown
2. Does the water system have a written sampling procedure and was it followed?	yes
3. Where there any power outages that affected water system facilities during the 30 days prior to the TC+ or EC+ findings?	Yes, there were minor power outages a few times
4. Were there any main breaks, water outages, or low pressure reported in the service area from which TC+ or EC+ samples were collected?	no
5. Does the system have backup power or elevated storage?	no
6. During or soon after bacteriological quality problems, did you receive any complaints of any customers' illness suspected of being waterborne? How many?	no
7. What were the symptoms of illness if you received complaints about customers being sick?	no

SUMMARY: Based on the results of your assessment and any other available information, what deficiencies do you believe to have caused the positive total coliform sample(s) within your distribution system? (DO NOT LEAVE BLANK)

Deficiency #	Deficiency Description
1.	When the submerged pump failed the well was opened to replace the failed pump. We think this is when the water was contaminated. Although the well was sanitized by the well company we still got positive coliform samples. We Treated the well on 11/12/17. We did not know the well company sanitized the well after replacing the submerged pump. Because of this we ended up with a 3.5 residual chlorine level in the well and had to flush it for an extended period of time to get the residual chlorine level down to .19 ppm
2.	
3.	
4.	
5.	

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CORRECTIVE ACTIONS: What actions have you taken to correct the above mentioned deficiencies? If additional time is needed to correct a deficiency, indicate the date that it will be corrected. (DO NOT LEAVE BLANK)

Deficiency #	Corrective Action	Completion/Proposed Date
1.	James Sharp our new EH&S Manager will monitor all well activity and along with Tom Galindo from Westside Water will take any corrective action needed.	11-25-2017
2.		
3.		
4.		
5.		

CERTIFICATION: I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

NAME: Tom Galindo **TITLE:** Water Operator **DATE:** 11/29/17

Upon review of the Level 1 Assessment Form, the local regulatory agency may require submittal of the following additional information:

- Sketch of system showing all sources, all treatment and chlorination locations, storage tanks, microbiological sampling sites and general layout of the distribution system including the location of all hazardous connections such as the wastewater treatment facility.
- A set of photographs of the source, pressure tanks, and storage tanks in the system may be submitted if they would show that the contamination is directly related and changes have been made since the last inspection by the local regulatory agency.
- Name, certification level and certificate number of the Operator in Responsible Charge.
- Copy of the last cross connection survey performed that identifies the location of all unprotected cross connections.

Mertens, Lourdes@Waterboards

From: Mertens, Lourdes@Waterboards
Sent: Wednesday, November 29, 2017 10:55 AM
To: 'Tim Plaza'; 'james@hilltopranch.com'
Cc: Westside Water
Subject: RE: TCR Failure at Hilltop - Looney Facility 2400329
Attachments: level1_simplegw.docx; ENP - Merced - Apr 2016 with plan.doc

Hi Tim,

Attached is the Level 1 assessment (investigation) form. Please complete for the Looney facility. Since you and Charlie are retiring, attached is the ENP form we would like for you to complete for each water system (Looney and Turlock).

Thanks,

Lourdes Mertens
559-447-3139

New Email Address: Lourdes.Mertens@waterboards.ca.gov

From: Tim Plaza [<mailto:TimP@hilltopranch.com>]
Sent: Tuesday, November 28, 2017 9:12 AM
To: Mertens, Lourdes@Waterboards <Lourdes.Mertens@waterboards.ca.gov>
Subject: RE: TCR Failure at Hilltop - Looney Facility 2400329

Lourdes,

Is this the investigation form we have to fill out for the Looney Rd. Well? Is there a separate Coliform investigation form also. I am retiring on Friday Dec. 1, 2017. James Sharp is taking my place and you can contact him at james@hilltopranch.com.

Tim

From: Mertens, Lourdes@Waterboards [<mailto:Lourdes.Mertens@waterboards.ca.gov>]
Sent: 11/13/2017 11:39 AM
To: Tim Plaza <TimP@hilltopranch.com>; Westside Water <westsidewater@aol.com>; Charlie Jahn <Charlie@hilltopranch.com>
Cc: Ferreria, Austin P.@Waterboards <Austin.Ferreria@Waterboards.ca.gov>; Westside Water <westsidewater@aol.com>; Chauhan, Kassy@Waterboards <Kassy.Chauhan@waterboards.ca.gov>
Subject: RE: TCR Failure at Hilltop - Looney Facility 2400329

Hi Tim,

Please complete the Level 1 Assessment form for the bacteria contamination of the water system at the Looney facility. If you can also summarize what was done to the well (lowered pump, change pump, etc.).

I am also attaching an ENP template that will need to be complete with the names of the new contacts for two water systems at Hill Top Ranch.

Thanks,

Lourdes Mertens
559-447-3139

New Email Address: Lourdes.Mertens@waterboards.ca.gov

From: Chauhan, Kassy@Waterboards
Sent: Monday, November 13, 2017 11:19 AM
To: Mertens, Lourdes@Waterboards <Lourdes.Mertens@waterboards.ca.gov>
Cc: Ferreria, Austin P.@Waterboards <Austin.Ferreria@Waterboards.ca.gov>
Subject: TCR Failure at Hilltop - Looney Facility

Hi Lourdes! I received a call this morning from Tim Plaza regarding two total coliform positive samples received from the distribution system since Friday. Tim indicated that their well went dry and they had a pump company come in and work on it last week. On Friday, they collected their routine bacteriological sample from the system and it was TC+. They collected repeat samples (well, original and two other sinks) and they were also TC+. They have posted the system and are providing bottled water for drinking. They have also disinfected the well, flushed the system and are hoping to have JL Analytical come out and pull repeat samples either this afternoon or tomorrow morning. Tim indicated that he has been coordinating these efforts with their contract operator, Tom Galindo. Also, he is aware that he has to collect five samples from the distribution system next month and will be required to complete the Level 1 Assessment form given the TCR failure. I am not sure if they have had any other failures within the last 12 months which would trigger a level 2 assessment. Please follow up with them as necessary.

Also, Tim indicated that he will be retiring in December 1st and Charles Jahn will be retiring at the end of December. We will need to get an updated ENP from them as well as update SDWIS with the new contacts.

Please let me know if you have any questions.

Thank you,

Kassy D. Chauhan, P.E.
Senior Sanitary Engineer – Merced District
State Water Resources Control Board –

Division of Drinking Water

Field Operations Branch

559-447-3300 – Main

559-447-3316 – Direct

559-385-5014 – Cell

559-447-3304 - Fax

APPENDIX 5. COMPLIANCE CERTIFICATION

Citation Number: 03-11-18C-002

Name of Water System: Hilltop Ranch – Looney Road

System Number: 2400329

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological violation of California Code of Regulations, Title 22, Section 64426.1 for the compliance period of November 2017 and the required actions listed below were completed.

Required Action	Date Completed
<i>(Citation Directive 2) Public Notification; Method(s) Used: <u>Posting</u>; Please attached a copy of the notice</i>	

Signature of Water System Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,
STATE WATER BOARD OF DRINKING WATER, NO LATER THAN **JANUARY 31, 2017**
TOGETHER WITH THE COPY OF THE NOTICE.**

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.